

Suffolk &c. At his Majesty's Superior Court of Judicature, Court
of Appeal, & General Goal Delivery, begun & held at Boston,
within & for the County of Suffolk, on the second Tuesday
of March, in the tenth Year of the Reign of George the
Third, by the Grace of God, of Great Britain, France &
Ireland King, Defender of the Faith &c.

The Jurors for the said Lord the King upon their Oath present
that Thomas Preston Esq. William Wemms Labourer, James
Hartegen Labourer, William McCauley Labourer, Hugh White
Labourer, Matthew Hillroy Labourer, William Warren Labourer,
John Carroll Labourer, & Hugh Montgomery Labourer, all now
resident in Boston in the County of Suffolk, not having the Fear
of God before their Eyes, but being moved & seduced by the instigation
of the Devil, and their own wicked Hearts, did, on the fifth Day
of this Instant March, at Boston aforesaid, within the
County aforesaid, with Force & Arms, feloniously, wilfully & of
their Malice aforethought, assault one Samuel Gray, then &
there being in the peace of God & of the said Lord the King, and
that the said James Hartegen, a certain hand Gun, ^{of the Value of ten Shillings} charged
& loaded with Gun-powder & a leaden Bullet, which, he the
said James Hartegen then & there had & held in both his hands,
at & against the Head of him the said Samuel Gray, did then
& there, feloniously, wilfully & of his Malice aforethought, shoot
off & discharge; by means whereof he the said James Hartegen
feloniously, wilfully & of his Malice aforethought, did then & there
give unto him the said Samuel Gray, with the leaden Bullet
aforesaid, so as aforesaid shot off & discharged out of the Gun
aforesaid, by Force of the Gun-powder aforesaid, in & upon
the Head of him the said Samuel Gray, one mortal Wound,
penetrating the Brain of him the said Samuel Gray; of which
said mortal Wound, the said Samuel Gray then & there instantly
died; and that the aforesaid Thomas Preston, William Wemms
William McCauley, Hugh White, Matthew Hillroy, William
Warren, John Carroll, & Hugh Montgomery, then & there,
feloniously, wilfully & of their Malice aforethought, were
present, aiding, helping, abetting, comforting, assisting &
maintaining the said James Hartegen to do & commit
the

the ~~Murder~~ Felony & Murder aforesaid. And so the Jurors
aforesaid, upon their Oath aforesaid do say that the ~~S.~~ Thomas
Preston, William Wemms James Hartegen, William
McCauley, Hugh White, Mathew Kilbroy, William Warren,
John Carroll, & Hugh Montgomery, then & there, in manner
by the means aforesaid, feloniously, wilfully & of their Malice
aforethought, did kill and murder the said Samuel Gray,
against the peace of the said Lord the King, his Crown &
Dignity.

J. Winthrop Att. pro Dom. Regis

This is a true Bill

Wm Taylor

Foreman.

Augth Term 1770. The said Thomas Preston, William Wemms,
James Hartegan, William McCauley, Hugh White,
Mathew Kilbroy, William Warren, John Carroll and
Hugh Montgomery, are all brought and set to the Barr
& arraigned, and upon their arraignment severally
plead not guilty, and for Trial put themselves upon
God and the Country. att Sam^l Winthrop Cler

*Ind. m. 17. Boston B. C.
for y^e Murder of Sam^l Gray.*